

THE HONORABLE FRANK D. BURGESS

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JEFFREY D. MILES, in his capacity as  
Personal Representative of the Estate of  
Kimberly L. Miles and as legal guardian of  
Brittany L. Miles, a minor, and Joshua T.  
Miles, a minor,

Plaintiff,

v.

SHANGHAI ZHENHUA PORT  
MACHINERY CO., LTD., a Chinese  
corporation, ABB LTD, a Swiss corporation,  
EVERGREEN MARINE CORP., LTD., a  
Taiwanese corporation, HEMLOCK  
EQUIPMENT, LLC, a Delaware limited  
liability company, and ISLAND  
EQUIPMENT, LLC, a Delaware limited  
liability company,

Defendants.

No. 08-CV-5743 FDB

**STIPULATION AND ~~PROPOSED~~  
ORDER OF DISMISSAL WITH  
PREJUDICE OF ISLAND  
EQUIPMENT, LLC**

COME NOW plaintiff, by and through its attorneys of record at Rafel Law Group and  
defendant Island Equipment, LLC, a Delaware limited liability company, by and through its  
attorneys of record at Lane Powell PC and do agree and stipulate that Island Equipment, LLC  
shall be dismissed from the above-styled and numbered cause with prejudice and that each  
party shall bear its own costs and fees.

STIPULATION AND PROPOSED ORDER FOR  
DISMISSAL - 1

1 SO AGREED AND STIPULATED on this 22<sup>nd</sup> day of January, 2009.

2  
3 RAFEL LAW GROUP, PLLC

4 By: David C. Martin  
5 Anthony L. Rafel, WSBA No. 13194  
6 David C. Martin, WSBA No. 38325  
7 Attorneys for Plaintiff Jeffrey D. Miles in his  
8 capacity as personal representative of the Estate  
9 of Kimberly L. Miles and as legal guardian  
10 Brittany L. Miles, a minor and Joshua T. Miles, a  
11 minor

12 LANE POWELL PC

13 By: Katie Smith Matison  
14 Katie Smith Matison, WSBA No. 20737  
15 Attorneys for Defendants Hemlock Equipment,  
16 LLC, and Island Equipment, LLC

17 **[PROPOSED] ORDER**

18 THIS DAY THIS CAUSE CAME ONTO BE HEARD by the Stipulation of the  
19 plaintiff Jeffrey D. Miles in his capacity as the personal representative of the Estate of  
20 Kimberly L. Miles and as legal guardian of Brittany L. Miles, a minor and Joshua T. Miles, a  
21 minor by and through attorneys of record Rafel Law Group and Island Equipment, LLC by  
22 and through its attorneys of record Lane Powell PC agreeing to dismiss defendant Island  
23 Equipment, LLC, a Delaware limited liability company with prejudice in the above-styled and  
24 numbered cause.

25 IT IS THEREFORE ORDERED AND ADJUDGED consistent with the stipulation of  
26 the parties, that Island Equipment, LLC is hereby dismissed with prejudice and that each party  
shall bear its own attorney's fees and costs.

STIPULATION AND PROPOSED ORDER FOR  
DISMISSAL - 2

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LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206.223.7000 FAX: 206.223.7107

1 SO ORDERED AND ADJUDGED on this 23 day of January, 2009.

2  
3   
UNITED STATES DISTRICT COURT JUDGE

4 PRESENTED BY:

5 RAFEL LAW GROUP, PLLC

6  
7 By: 

8 Anthony L. Rafel, WSBA No. 13194

9 David C. Martin, WSBA No. 38325

10 Attorneys for Plaintiff Jeffrey D. Miles in his  
11 capacity as personal representative of the  
12 Estate of Kimberly L. Miles and as legal  
13 guardian Brittany L. Miles, a minor and  
14 Joshua T. Miles, a minor

15 LANE POWELL PC

16  
17 By: 

18 Katie Smith Matison, WSBA No. 20737

19 Attorneys for Defendants Hemlock  
20 Equipment, LLC, and Island Equipment, LLC  
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22  
23  
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STIPULATION AND PROPOSED ORDER FOR  
DISMISSAL - 3

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